

REMARKS

Claims 1-5, 8-15, 17-21, 23-30, and 32-38 are pending. Claims 1, 10, 12, 21, and 30 have been amended and claims 6, 7, 16, 22, and 31 have been canceled. The amendment to claim 10 has been made to re-write this claim into independent form, to thereby place it into condition for allowance as indicated in the Office Action.

I. The First § 103(a) Rejection

In the Final Office Action, claims 1, 12, 21, and 30 were rejected for being obvious in view of the Andersson patent. This rejection is traversed for the following reasons.

A. Claim 1

Claim 1 recites setting up a packet call directed to a first IP address of the called subscriber for forwarding to “a second predetermined IP address” based on a result of said determining, and that “the second predetermined IP address is previously designated by the called subscriber for storage in at least one network storage element.” These features are not taught or suggested by the Andersson patent.

The Andersson patent discloses routing a call to a subscriber through an IP network. Before the call is routed, a determination is made as to whether the called subscriber is currently roaming relative to a home mobile network. If the subscriber is roaming, the call is routed through the IP network to the mobile network destination in which the currently roaming subscriber resides. (See column 1, lines 27-55).

In the Final Office Action, the Examiner acknowledged that the Andersson patent does not expressly disclose the first IP address and second IP address of claim 1. Notwithstanding this omission, the Examiner concluded that the first and second IP addresses would have been obvious for the following reason.

Specifically, the Examiner took the position that because the IP network is used to route a call, both the calling party and called party must have IP addresses, thereby satisfying the “first IP address” and “second IP address” limitations in claim 1. However, claim 1 has been amended to recite that the second IP address not only corresponds to, but is designated by, the called subscriber. Thus, as amended, claim 1 requires both the first and second IP addresses to correspond to the called subscriber.

Moreover, claim 1 requires the second IP address to be a predetermined address that is previously designated by the called subscriber for storage in at least one network storage element. The Andersson patent does not teach or suggest these features, i.e., since at least one of the Examiner identified one of the first and second IP addresses as corresponding to the calling party. Furthermore, by storing the second predetermined IP address in a network element for the called party, the claimed invention can ensure that calls intended for the first IP address are forwarded to a second IP address that has been specifically chosen by the called subscriber's. As noted throughout the specification, this second IP address may be a URL, server address, or other IP address types previously chosen by the called party and stored in a network element.

Claim 1 further recites that the “packet call is set up based on the second predetermined IP address when the called subscriber is determined to have subscribed to the call-forwarding unconditional function.” The Andersson patent also fails to teach or suggest these features. Based on the foregoing differences, Applicants submit that claim 1 and its dependent claims are allowable.

B. Claim 12

Claim 12 recites that “when no response is received from said paging, determining whether the called subscriber subscribes to a call forwarding service.” The Andersson patent does not teach or suggest these features, i.e. Andersson discloses routing a call through an IP network only when a determination is made that the called subscriber is roaming. The called subscriber is determined to be roaming based on whether the subscriber is currently registered in a home location register.

Determining whether a subscriber is currently registered in an HLR is different from determining whether a response has been received to a page. Andersson does not teach or suggest determining whether a called subscriber subscribes to a call forwarding service when no response is received from a page.

Moreover, claim 12 recites “setting up a packet call directed to a first IP address of the called subscriber and forwarded to a second predetermined IP address, wherein the second predetermined IP address is previously designated by the called subscriber for storage in at least

one network storage element and wherein the packet call is set up based on the second predetermined IP address.” As previously indicated, the Andersson patent does not teach or suggest these features. Based on these differences, Applicants submit that claim 12 and its dependent claims are allowable.

C. Claim 21

Claim 21 recites “forwarding the call to a forwarding address of a subscriber of the mobile terminal, wherein the forwarding address is a second predetermined IP address different from the first IP address and wherein the second predetermined IP address corresponds to a destination different from the mobile terminal of the subscriber.” In addition, claim 21 recites that “the second predetermined IP address is previously designated by the subscriber for storage in at least one network storage element.”

The Andersson patent does not teach or suggest these features, i.e., Andersson uses an IP address for the calling subscriber and an IP address for the called subscriber. However, Andersson does not teach or suggest first and second IP addresses that correspond to or have been chosen by the called subscriber, and that the second IP address is predetermined and stored in a network element. Accordingly, the features of claim 21 are missing from Andersson.

Moreover, claim 21 recites that the second predetermined IP address does not correspond to the mobile terminal of the subscriber. The Andersson patent, however, teaches away

from these features when it discloses routing a call through an IP network to the subscriber terminal during the time when the subscriber terminal is roaming.

Based on these differences, it is respectfully submitted that claim 21 is allowable.

D. Claim 30

Claim 30 recites features similar to those which patentably distinguish claim 21 from the Andersson patent, i.e., claim 30 recites that the forwarding address is a second predetermined IP address different from the first IP address and that the second IP address corresponds to a destination different from the mobile terminal of the subscriber. In addition, claim 30 recites that the second predetermined IP address is previously designated by the subscriber of the mobile terminal for storage in at least one network storage element. Based on these differences, it is respectfully submitted that claim 30 is allowable.

II. The Second § 103(a) Rejection

Claims 2-5, 8, 9, 11, 14, 15, 17-20, 23, and 32 were rejected for being obvious in view of an Andersson-Bichot combination. This rejection is traversed on grounds that the Bichot patent does not teach or suggest the features of base claims 1, 12, 21, and 30 missing from the Andersson patent.

More specifically, the Bichot patent discloses a home location register which stores IP addresses for different subscriber terminals. This information is used to route packets to terminals that are roaming. (See column 3, lines 20-47). The Bichot patent, however, does not teach or suggest

the features of base claim 1 missing from the Andersson patent, e.g., Bichot does not teach or suggest “setting up a packet call directed to a first IP address of the called subscriber for forwarding to a second predetermined IP address based on a result of said determining, wherein the second predetermined IP address is previously designated by the called subscriber for storage in at least one network storage element and wherein the packet call is set up based on the second predetermined IP address when the called subscriber is determined to have subscribed to the call-forwarding unconditional function.”

Accordingly, it is submitted that all claims depending from claim 1 are allowable, at least by virtue of their dependency from claim 1.

The Bichot patent also fails to teach or suggest the features of claims 12, 21, and 30 missing from the Andersson patent. Accordingly, Applicants submit that these claims and their dependent claims are allowable.

III. The Third § 103(a) Rejection

Claims 24-28 and 33-38 were rejected for being obvious in view of an Andersson-Bichot-MacNamara combination. Applicants traverse this rejection by antedating the MacNamara publication.

The MacNamara reference is a published U.S. patent application. As such, its effective filing date when used as a reference is its U.S. filing date, taking into consideration any claims to

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domestic priority under 35 USC § 119(e) and 120. (See MPEP § 2136). The effective filing date of the MacNamara publication is July 31, 2002.

Under the provisions of MPEP § 201.15, the MacNamara publication may be antedated if the present application has an effective filing date earlier than the effective filing date of the MacNamara publication. In the original application papers, Applicants claimed priority under 35 USC § 119 to Korean Patent Application No. 44942/2002, which has a filing date of July 30, 2002. The effective filing date of the present application is therefore before the effective filing date of the MacNamara publication.

In order to antedate the MacNamara publication based on this earlier effective filing date of the present application, the following documents must be filed: (1) an English translation of a certified copy of the foreign priority document (Korean Patent Application No. 44942/2002) and (2) a statement indicating that the translation is accurate. (See MPEP § 201.15). Applicants have submitted these documents with this paper.

With the filing of these documents, it is respectfully submitted that the MacNamara publication has been removed as a reference against the claims in the present application. Accordingly, withdrawal of the rejection of claims 24-28 and 33-38 is respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

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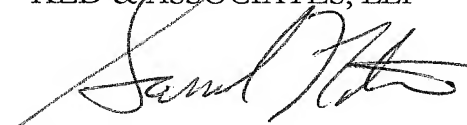
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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

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